

### **REMARKS**

The Office Action of August 5, 2003 has been noted and its contents carefully studied. The claims in the case are now 2-20. No claim has yet to be allowed; however, there are no rejections set forth under 35 U.S.C. 102 or 103.

The following paragraphs correspond to the paragraphs of the detailed action:

Claims 10 and 11 are now corrected by correcting the spelling of micrometer and manometer.

### ***Double Patenting***

In response to the double patenting rejection under 35 U.S.C. 101 over U.S. Patent 6,465,530, it is seen that claim 1 is cancelled and that claims 8-20 are now dependent directly or indirectly on claim 2 or 3.

With respect to the rejection of claims 2-7 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of U.S. Patent No. 6,465,530, it is seen that claims 2-6 are rewritten so as to be in independent form. As to the Examiner's assertion regarding obviousness in each of these independent claims including claims dependent thereon, Applicants do not acquiesce to this rejection and reserve the right to present rebuttal arguments at a later date, if ever necessary. Conversely, attached is a Terminal Disclaimer which takes into account that the present application and U.S. Patent 6,465,530 are owned by the same three parties. Accordingly, there is justification for the Examiner to withdraw the rejection of claims 2-7 as being unpatentable over claims 1-22 of U.S. Patent 6,465,530 on the grounds of obviousness-type double patenting.

It is also seen that an Information Disclosure Statement is being filed which cites and attaches French published application 2804689 having an international registration number of 0001618. This published French application corresponds to the priority application of U.S. 6,465,530 and since the published French application was published on August 10, 2001, it can be used as a reference against the U.S. filing date of the present application of February 15, 2002 under 35 U.S.C. 102(a). To antedate this published French application, attached is another copy of Applicants' priority document 01/02.241 filed February 16, 2001 along with an English

translation thereof thereby entitling the present application to a U.S. filing date at least as early as February 16, 2001.

Inasmuch as all the rejections are overcome, it appears that the application is in condition for allowance. However, if there are any residual issues which can be expeditiously resolved by a telephone conference, the Examiner is courteously invited to telephone Counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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